

1.5 Evaluation of Current Management Measures to Protect EFH in Alaska

This section of the analysis assesses the relative impacts of fishing equipment used in waters described as EFH. A review of existing fishery management measures as they relate to protection of EFH was provided in Section 1.4.

Area closure to trawling and dredging in the BSAI and GOA serve to protect habitat from potential adverse impacts caused by these gear types. A summary evaluation of each is provided below:

- C The nearshore Bristol Bay Closure Area encompasses 19,000 square nautical miles. This area contains rare habitat types (bryozoans and other living substrates), it is important ecologically (absolutely critical for young-of-the-year red king crab survival), and it is vulnerable and highly sensitive to fishing gear damage.
- C The Pribilof Islands Habitat Conservation Area encompasses 7,000 square nautical miles. This area contains rare habitat types (shell hash), it is important ecologically (needed for juvenile blue king crab survival), and it is vulnerable to bottom trawl gear damage via crushing, burying, and siltation. Other gear types probably do not have a significant impact on this habitat.
- C The Red King Crab Savings Area covers 4,000 square nautical miles. This area contains a known concentration of adult red king crab. Its primarily sand/silt substrate does not appear as sensitive to the impacts of fishing gear as some other types of substrate.
- C The closure areas around Kodiak Island and along the Alaska Peninsula were designed to reduce bycatch and other impacts of trawl and dredge gear on red king crab. This area may contain concentrations of juvenile red king crab.

Other management measures were designed to reduce the impact of fishing on marine ecosystems. Catch quotas, bycatch limits, and gear restrictions control removals of prey species. Area closures around marine mammal rookeries and haulouts reduce fishery interactions with these predators.

The Council approved a permanent closure of a four-mile square area around the Cape Edgecumbe pinnacles near Sitka at its June 1998 meeting; the regulation implementing this closure is under development. The action would close the area to boat anchoring and to fishing for groundfish, halibut and scallops; commercial and recreational fishing for salmon would be allowed. The pinnacles area is extremely productive; it provides habitat for spawning, breeding, feeding, growth, and growth to maturity for a variety of species.

The need for additional protective measures outside of the current management regime (and excluding the Cape Edgecumbe pinnacle closure) was not demonstrated from a review of the best scientific information available during development of the EFH amendment package. The measures outlined in Section 1.4 demonstrate that the Council and the Secretary of Commerce have taken appropriate actions when threats to fish habitat have been identified. At this time, the need for other protective measures was not demonstrated from a review of the best scientific information available during the development of the EFH FMP. These conclusions considered whether, and to what extent, fishing activities are adversely impacting EFH; the nature and extent of adverse effects on EFH; and whether the management measures are practicable, taking into consideration the long-and short-term costs as well as benefits to the fishery and its EFH, consistent with national standard 7.

In the future, additional management measures may be proposed as new information (biological,

economic, or other appropriate factors) becomes available. Proposals to amend FMPs to minimize potential adverse effects from fishing can be submitted during the Council's plan amendment cycle. Proposals can be made by anyone, such as fishermen, industry groups, conservation groups, general public, plan teams, or even the Council itself.

The amendment cycle is as follows:

1. A call for proposals is issued in June, with proposals due in mid-August.
2. The plan teams review proposals in September and provide the Council with guidance.
3. The Council and its advisory bodies review proposals in October and determine which ones should be further developed for analysis.
4. Analysis (Environmental Assessment and Regulatory Impact Review or Environmental Impact Statement) is completed for initial review at the following April meeting.
5. The Council takes final action on the amendment at its June meeting and forwards the amendment package thereafter to the Secretary of Commerce for approval.

The NMFS interim final rule guidelines on EFH specify that the Councils and NMFS should periodically review the EFH components of FMPs, including an update of the fishing gear impacts assessment. Each EFH FMP amendment should include a provision requiring review and update of EFH information and preparation of a revised FMP amendment if new information becomes available. The schedule for this review should be based on an assessment of both the existing data and expectations of when new data will become available. This information should be reviewed as part of the annual Stock Assessment and Fishery Evaluation (SAFE) report. A complete review of information should be conducted as recommended by the Secretary, but at least once every five years.

1.6 Status of Fishery Resources in the Alaska Region

Definitions of EFH can depend on the status of the fish stock. The interim final rule provides some guidelines on defining EFH based on status of the stock. Three levels of stock abundance are considered, as follows:

1. Overfished stocks: *If a species is overfished, and habitat loss or degradation may be contributing to the species being identified as overfished, all habitats currently used by the species should be considered essential in addition to certain historic habitats that are necessary to support rebuilding the fishery and for which restoration is technologically and economically feasible. Once the fishery is no longer considered overfished, the EFH identification should be reviewed, and the FMP amended, if appropriate.*
2. Threatened or Endangered stocks: *EFH will always be greater than or equal to aquatic areas that have been identified as "critical habitat" for any managed species listed as threatened or endangered under the Endangered Species Act.*
3. Healthy stocks: *Where a stock of a species is considered to be healthy, then EFH for the species should be a subset of all existing habitat for the species.*

No species off Alaska is currently known to be overfished or listed as threatened or endangered under ESA. For 42 rockfish species of very minor commercial and recreational importance (many listed are not

harvested at all), the status is unknown, but the remainder are considered healthy (NMFS "Report to Congress on the Status of Fisheries of the United States, 1998). One stock of BSAI groundfish (Bogoslof pollock) and one BSAI crab species (Tanner crab) may be deemed overfished in the future based on preliminary analysis currently being conducted to address National Standard 1 guidelines. There are several northwest stocks of Pacific salmon listed under ESA that utilize the Alaska EEZ to some extent during their juvenile life stage. None of these listed stocks originate in Alaska.

The best available scientific information on the status of stocks is found in the annual Stock Assessment and Fishery Evaluation (SAFE) documents prepared annually for the groundfish, crab, and scallop FMPs. Copies of the SAFE documents are available from the Council office.